

Deviation of Medical Mask Sales Business during the COVID-19 Pandemic from a Teleological Ethics Perspective

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Abstract: *This article aims to review more deeply as concerns the crimes committed by the Indonesian people in the sale of medical masks during the Covid-19 pandemic which will be reviewed from the perspective of teleological ethics theory. This article uses qualitative research methods with analytical and descriptive approaches. Sources of data obtained to support the analysis of this article are several books, previous research, and news media in Indonesia. The findings show that the State of Indonesia has been faced with cases of irregularities in the medical mask sales business amid the Covid-19 pandemic. These cases include hoarding medical masks, offering prices up to 10 times as much, selling medical masks with imitation brands, to using masks. Based on the results of the analysis, business deviations from selling medical masks by producers and students are considered to have violated ethics in terms of health safety, price policies, marketing of medical masks, and clinical study designs on the materials used. Immoral actions by criminals in selling medical masks are a form of ethical egoism from the perspective of the teleological theory that should be transformed into utilitarian behavior. The perpetrators deliberately sacrifice the health of other people to fulfill their interests. According to the theory of business ethics, business actors are required to be honest by offering a product or service that is beneficial to many people. As a result of the immoral act, the perpetrators were sentenced to a criminal sentence of Article 29 paragraph (1) in conjunction with Article 107 of Law Number 7 of 2014 concerning Trade, with a maximum penalty of 5 years imprisonment.*

Keywords: Teleological Ethics; Medical Mask Hoarding

1. Background

At the beginning of 2020, the world was shocked by the emergence of cases of a contagious virus, namely Corona Virus Disease 2019 caused by SARS-CoV-2. The emergence of cases of this infectious virus started in the State of Wuhan, China at the end of November 2019. From the beginning of this virus appeared until it developed today, no one has been able to determine what factors caused its emergence of this virus. Based on observations from various health parties throughout the country confirmed that the SARS-CoV-2 virus is a deadly infectious virus. According to global calculations by Our World In Data, as of May 8, 2022, 516,757,582 people have been declared to have been exposed to this virus, of which 6,249,626 people have died.

The ever-increasing spread that resulted in a high death rate made governments across the country have the same opinion, namely to make new policies aimed at the community. The government appealed to the public to stop all activities outside their homes, such as studying, shopping, and working temporarily until conditions were declared safe. This policy was made with the hope of reducing the wider spread of the virus. Initially, the government only allowed pharmaceutical and health parties to continue operating because they were related to services for the healing process of the community from the Covid-19 disease. Then, the government allowed other industries such as logistics, finance, and the food industry to resume operations with limits on the number of workers and working hours.

Efforts to test or research conducted by health authorities throughout the country to find out how to treat this virus

have yet to obtain significant results. However, the health authorities found that this virus attacks the human respiratory tract which is spread through droplets that come out of the nose or mouth when the sufferer sneezes or coughs and then enters other people's bodies through the nose, mouth, or eyes. Another perception that might be a factor causing the spread is the drop of droplets that come out of the patient's body on objects around him and then touched by other people. This analysis has made the World Health Organization and other health parties decide that the prevention that can be done to reduce the wider spread of Covid-19 is the application of complete health protocols such as using personal protective equipment, namely medical masks, soap, alcohol, hand sanitizers, gloves, hands, face shields, etc., increase endurance, clean hands regularly, and maintain a distance of at least 1 meter from other people.

The emergence of the Covid-19 virus, which was declared contagious and deadly, made people throughout the country panic. Since the World Health Organization informed the public to use personal protective equipment, people globally are trying to get these items. One of the personal protective equipment that is declared the most mandatory to use when doing activities outside the home is a medical mask. The health side's appeal to the need for medical masks has made people in Indonesia buy these items in excessive quantities for supplies without paying attention to the safety of others. This panic buying phenomenon has resulted in a scarcity of medical masks in the market due to the number of supplies that are not proportional to the level of public demand so the hospital has difficulty getting supplies of medical masks aimed at Covid-19 sufferers.

Changes in conditions due to the emergence of the Covid-19

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virus have also made Indonesian people experience economic difficulties. The Central Statistics Agency (BPS) reported that the GDP growth rate (Gross Domestic Product) experienced a drastic decline of -2.07% in 2020. This decline was due to the cessation of trading activities both domestically and in exports and imports. Many MSMEs or large companies in various industries have been declared bankrupt or bankrupt due to low or no income while the level of expenditure for personal needs and company operations is still running. This condition makes most Indonesians try to find business opportunities that are considered the most profitable to maintain life during social restrictions during the Covid-19 pandemic.

The high level of public demand for medical masks is considered the most profitable new business opportunity during the Covid-19 pandemic. Many Indonesian people, including MSMEs, have taken the initiative to sell masks, both medical and non-medical. However, some people deliberately irresponsibly take advantage of this condition. Many producers or other business actors (distributors) are found to have deliberately abused this business opportunity by committing various crimes or violating business ethics. The police found various cases of crimes that occurred in Indonesia, namely hoarding medical masks, selling fake medical masks, and second-hand masks.

Immoral actions that have been carried out by several individuals have been published in various news media. One of them is Kompas, written by Farasonalia, Ladjar, Nuris Velarosda & Himawan (2020) which informs that there are two students from private universities in Makassar who deliberately stockpile up to 200 boxes of medical masks to be sent to New Zealand. Another case was also found in West Jakarta, where a student intentionally hoarded 358 boxes of medical masks to sell online for a price of IDR 300,000 – IDR 350,000 per box. Cases of hoarding medical masks are very detrimental to many parties. Some of these individuals deliberately save up to buy medical masks in large quantities to be sold at high prices. Based on a report written by Bustomi (2020) on Liputan6 media, the price of medical masks has increased by 70% or 10 times, namely one box of KN95 masks containing 20 sheets to IDR 500,000 - IDR 1,500,000 where the normal price is only IDR 250,000, while the surgical masks increased to IDR 275,000, which is normally only IDR 30,000.

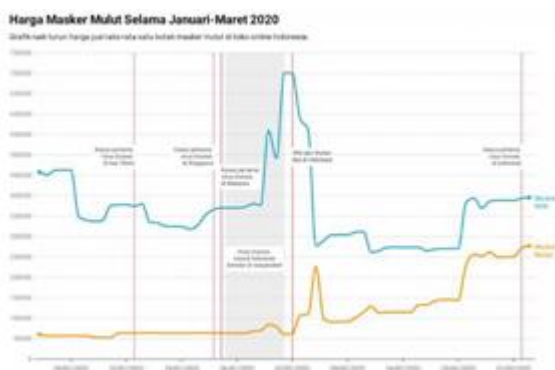


Figure 1: The movement of changes in mask prices during January-March 2020

Another case also occurred in the Medan and surrounding

areas, namely the circulation of fake masks on the online and offline market with selling prices that are much cheaper than the original brands (Siregar, 2021). The party deliberately made a medical mask by using the medical mask brand "Sensi" which is well known in the market. Physically, the fake masks don't have much difference, but the health workers are worried that the quality level of the fake medical masks doesn't meet the standards. The Polda Metro Jaya also discovered that there was illegal hoarding and production of masks that did not have a distribution or production permit from the Indonesian Ministry of Health, which was located in the Central Cakung warehouse Block I Number 11, North Jakarta in February 2020 (Bustomi, 2021). This condition makes the health workers urge the public to buy medical masks that already have a distribution permit for medical devices from the Ministry of Health.

Another criminal case was also found by the police during an inspection of a house in Bandung. The police managed to find one of the houses as well as a recycling mask factory in Bandung (Ramadhan, 2020). The group of people deliberately took advantage of piles of used masks to be processed and resold to the public. According to observations, these used medical masks have been circulating in many shops. One of the shops that were found guilty admitted that the sale of recycled medical masks was deliberately done for fear of losing customers due to the high price of masks and the difficulty of getting supplies of medical masks.

Based on the many cases of fraud in the sale of medical masks that have been carried out by several individuals in Indonesia amid the Covid-19 pandemic, it can be concluded that many Indonesians only pay attention to their interests and safety. Several criminal cases that have been found by the police show that this case is a form of business irregularity that should not be carried out by anyone. The crimes committed by these groups of persons are not only financially detrimental but also endanger the health of other people. In other words, this criminal case has violated business ethics. Therefore, this article will critically discuss the behavior of the Indonesian people who have violated the norms in the sale of medical masks from a teleological perspective and what attitudes the government or other communities should take to overcome this problem.

2. Literature Review

Cases of crimes such as fraud that harm others are immoral acts. This crime arose because of the individual's lack of understanding of the importance of behaving ethically in social life. These irresponsible actions are only based on individual selfishness to fulfill their interests, namely to get big profits. Therefore, the government makes a policy to regulate people's behavior which is written in the law, anyone who is judged to have acted unethically will be given a criminal sentence or other appropriate punishment. In other words, individuals need to understand the importance of understanding ethics to behave appropriately to avoid conflict.

Ethics

The term ethics comes from the Greek word "Ethos" which

means attitude, behavior, mindset, character, decency, or custom. The notion of ethics is associated with moral values which contain a meaning regarding order to guide individuals in behaving. According to the Merriam-Webster dictionary written in the book "Business Ethics" by Ekasari and Nurfitriasi (2019), the term ethics is a principle that will govern individual morals and behavior. Duska (2007) makes it clear that the term ethics is used to determine whether an individual's behavior is right or wrong, moral or immoral. Broadly speaking, the notion of ethics is a norm that can be used as a guide to assist individuals in evaluating and considering what kind of attitude is appropriate to do in certain situations.

According to the observations made by philosophers, ethics can be a guideline that will assist individuals in making decisions when faced with a problem related to an organization, business institution, or social activity. Ethics will guide the individual's personality in a good direction, namely being responsible, honest, fair, not selfish, and loving towards fellow humans, the natural environment, or other living creatures. The individual will prioritize the interests of others at the expense of his interests and understand his rights and obligations. This attitude can be a strength for the individual in forming a company that prioritizes moral and ethical values because ethical practices can directly or indirectly increase the value of the company.

Business Ethics

Along with the times, companies are required to innovate and create competitive advantages. This condition makes companies have to compete to gain consumer trust and profits. Therefore, every company must continue to prioritize ethics and morals to avoid unfair competition. Business ethics is one of the efforts that can be made by every company to form a company that can be accepted and trusted by consumers of all time.

Business ethics is often referred to as management ethics because of the application of moral standards in regulating business activities. According to Velasquez (2014), business ethics is a form of applied ethics that includes an analysis of moral norms and values as well as an analysis of conclusion about the business world. In a simple sense, business ethics is a reference that needs to be carried out by companies to achieve a goal. Business ethics will support business actors to study actions or behaviors such as what can be considered good or bad, right or wrong in the business world which is also adapted to the principles of morality. To support the application of strong business ethics, it is necessary to impose sanctions and rules on parties deemed detrimental or immoral as a form of warning so as not to make a second mistake.

The following are some ethical theories that can be used as guidelines for business actors, namely:

a) Utilitarianism theory

This theory comes from the word utilis which means benefit or is referred to as consequentialism. Action will be considered good if it produces a benefit for many people. So, an act must be accompanied by consideration of the interests of many people, not just one or two people. This explanation

is emphasized by John Stuart Mill, utilitarianism is a theory that shows individuals that action will be judged good if it is used to provide happiness or satisfaction to many people (Duska, 2007).

b) Deontological Theory

This theory comes from the Greek word deon which means "obligation". This theory explains that action is based on an obligation to act well even though there are consequences to be faced (Ross, 1930). The main purpose of a person to behave or act well is not to get good results but an obligation that must be carried out by the individual. This understanding clearly shows that business actors have an obligation not to disappoint consumers but must also be based on responsibility.

c) Teleological Theory

This theory comes from the Greek words telos which means "goal", and logos which means "science and theory". This theory emphasizes the assessment of the good and bad of an individual's actions based on the goals or consequences of these actions. Action will be considered good if the action is based on a good purpose and brings good results.

d) Right Theory

This theory is a theory of rejection of the weaknesses of the deontological theory which only prioritizes obligations. This theory further explains how a person's rights must be respected and those rights deserve to be obtained and fought for. Everyone has the same rights. For example, the right to obtain decent living welfare (education, health, law, and so on). In other words, this theory relates to the rights of workers, employees, owners, sellers, or buyers. If there are employees who feel that they have been harmed or treated unfairly by the company, they have the right to sue through formal or informal channels.

e) Virtue Ethics Theory

This theory has a different understanding from other theories. This theory does not prioritize obligations and rights only but emphasizes a person's actions based on attitudes. Aristotle explained that the nature or character of a person can be seen from habits. This theory explains that there are 4 cardinal virtues, namely wisdom, justice, courage, and humility. With wisdom, one can make the right decisions in certain situations. Justice is concerned with giving what is already due to others. Courage will give a person the strength not to give up in the face of various problems. While humility will lead a person not to act arbitrarily, to be greedy even though the situation or opportunity supports it. In other words, this virtue theory will shape the personality of business actors who are more characterized, not only seeking profit and based on obligations and rights but also guiding individuals to act appropriately.

Research Methods

The method used in this article is a qualitative research method with an analytical and descriptive approach. According to Moleong (2013), qualitative research is research that has the intent and purpose to understand what phenomena are experienced by research subjects such as perceptions, behaviors, motivations, and actions written by describing them in clear words and language. This study will

also use several data sources from books and several news media to complete the explanation regarding the existing problems. All sources of news media data that have been successfully collected by researchers will be studied and then analyzed qualitatively from the perspective of teleological-business ethics theory to get a conclusion.

3. Results and Discussion

The average business actor in Indonesia only focuses on how to achieve the company's sales target. Meanwhile, ethics is only considered as a guideline that will direct the attitudes and behavior of individuals who are good and right in daily activities. Competition is seen as a natural thing for business actors to win a competition in building a good image to consumers. The lack of awareness of the importance of implementing business ethics is shown through the many cases of fraud that have been carried out by Indonesian companies, such as monopoly activities, using hazardous materials, fraud, or destroying the forest and marine ecosystems for their business needs.

At the beginning of 2020, all foreign countries were faced with the emergence of a new virus that was categorized as infectious and deadly called Covid-19 by the SARS-CoV-2 virus. The spread of this virus is very fast and wide enough to cause a high number of human deaths, especially among those aged 30 and over. This situation has forced governments around the world and health experts to set policies to limit activities outside the home and use personal protective equipment when outside the home to prevent the wider spread of the virus. This policy makes personal protective equipment such as hand sanitizers, gloves, face shields, soap, and especially medical masks the most sought after by the public. The need for personal protective equipment makes people experience panic buying in which people buy these items in excessive quantities with the excuse of meeting supplies.

The panic buying phenomenon that occurs in the community in Indonesia makes some other people think that medical masks are a new business opportunity to get big profits. Due to the social restrictions imposed by the government, many people complain that it is difficult to meet their economic needs during the pandemic. This economic difficulty has made many people take the initiative to sell medical masks. However, some people take advantage of this condition by buying excessive quantities from the manufacturer or storing existing medical masks, causing a shortage of medical masks. This makes many people, especially hospitals feel disadvantaged because of the limited number of medical masks available for COVID-19 sufferers.

The number of cases of fraud in the sale of medical masks carried out by several individuals during the Covid-19 pandemic, including selling medical masks with price increases that reached 10 times, making illegal medical masks or fake brands, and reselling used medical masks. This case is a very immoral act by taking advantage of the conditions and then destroying public trust without any sense of responsibility. The business practice of selling medical masks is considered to have violated ethics, namely related to health safety, pricing policies, marketing of medical

masks, and clinical study designs on the materials used. Meanwhile, the practice of selling medical masks in Indonesia is related to the perspective of teleological theory, this action is a form of ethical egoism. Manufacturers and other business actors work together for their own sake, which is where medical masks should be made and marketed to prevent disease.

Business irregularities in the sale of medical masks show that unscrupulous groups and some medical mask manufacturers have forgotten their obligations to behave morally and responsibly in the transaction process and violate consumers' rights to security. On the other hand, these groups of people are not only detrimental to society financially but also to health. Therefore, other business actors must change this ethical egoism behavior with utilitarian behavior that prioritizes offering benefits to the people rather than unilaterally.

The lesson that can be drawn from this case is that business actors or companies also need to understand and know that the government has implemented a law that contains regulations as well as sanctions or punishments in regulating the morals of its people, especially in business. As a result, several individuals who have committed crimes in the practice of selling medical masks have been sentenced to criminal penalties of Article 29 paragraph (1) in conjunction with Article 107 of Law Number 7 of 2014 concerning Trade, with a maximum threat of 5 years imprisonment. The criminal punishment given to the perpetrators of the crime of selling medical masks is a form of strict and ethical sanctions to be carried out. This punishment can provide awareness and fear to the community not to do the same thing.

Efforts that can be made to overcome this case are to limit the purchase of medical masks for people who do not suffer from Covid-19 so that other people who are positive for this virus can obtain medical masks. Other people need to know that the impact of panic buying can create opportunities for crime by business actors. Therefore, criminal cases that occur in the sale of medical masks are not only the fault of manufacturers and distributors of medical masks but also consumers.

4. Conclusion

Ethics is a science that can be a guide to guide individuals to behave ethically and morally. Individuals who understand the importance of ethics will tend to have an honest and responsible personality. This attitude can be a strength for the individual to form a company that prioritizes moral values. In running a business, business ethics will assist business actors or companies in making strategic decisions and referring to honesty, fairness, and prioritizing customer satisfaction through the benefits and quality offered in the company's services or products. Thus, business actors will not take moral actions such as endangering the health of consumers. Business actors must understand that there is a need to form good reciprocal relationships to achieve economic and social benefits.

Business actors are required to understand the importance of teleological theory to avoid ethical egoism. Companies are required to offer a quality, safe, and reasonably priced

product in order to create a benefit in terms of both usability and finance to many people. Meanwhile, the theory of business ethics will also teach business actors about rights and obligations such as providing employee welfare and achieving the expected targets. If the company cannot fulfill its obligations, the value of the company will decrease due to decreased employee performance so the target will also be difficult to achieve.

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